

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARGARET BIANUCCI, KATHRYN  
EDWARDS, ERICA JUDKA, and FAITH  
SPIKER, *individually and on behalf of all others  
similarly situated,*

Plaintiffs,  
v.

RITE AID CORPORATION,

Defendant.

Lead Case No. 2:24-cv-03356-HB

CLASS ACTION

**JOINT STATUS REPORT AND MOTION TO LIFT THE STAY**

The parties write to provide the Court with an update on recent developments in this matter and move the Court to lift the order staying this proceeding (ECF No. 44) (“Stay Order”).

**First**, on June 10, the United States Bankruptcy Court for the District of New Jersey granted Plaintiffs’ motion in Rite Aid’s bankruptcy action seeking relief from the automatic stay pursuant to 11 U.S.C. § 362(d)(1).<sup>1</sup> Plaintiffs’ motion sought to permit the final class action settlement approval process to continue to conclusion in this Court. The order granting the motion (“Order”) permits just that: it granted relief from the automatic stay to allow the parties to consummate the Settlement in this litigation through final approval, provided that the Settlement is “funded solely by Rite Aid’s applicable insurance carrier.” A copy of the Order is attached hereto as **Exhibit A** and has been published to the Settlement Website. Accordingly, the parties request that this Court lift the Stay Order so that they may move forward with final settlement approval.

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<sup>1</sup> *In re New Rite Aid LLC, et al.*, Ch. 11 Case No. 25-14861 (MBK) (Bankr. D.N.J. May 5, 2025), ECF No. 796.

**Second**, as we previously noted to the Court in our May 23, 2025 report (ECF No. 45), Plaintiffs published their motion for attorneys' fees, expenses, and service awards ("Fee Motion") on the Settlement Website by the May 23, 2025 deadline for filing that motion, but Plaintiffs did not actually file the Fee Motion on the docket in this matter because of the Stay Order. In taking this step, notice of the Fee Motion was provided to the Settlement Class, and Class Members had adequate time to consider whether to request exclusion from or object to the Settlement. Once this Court lifts the Stay Order, Plaintiffs will promptly file the Fee Motion on the docket in this action.

**Third**, the parties and Settlement Administrator worked diligently to meet all other settlement administration deadlines and milestones despite the pendency of the bankruptcy and entry of Stay Order in this case. The parties' intention was to expeditiously disentangle the Settlement from the bankruptcy proceedings and keep the Settlement on track for the benefit of the Settlement Class. The parties' efforts succeeded, and if the Court is inclined to lift the Stay Order, Plaintiffs are prepared to file the motion for final settlement approval by or before the June 20, 2025 deadline for that motion. If the Court's calendar still permits, it is also the parties' intention to proceed with the July 17, 2025 final approval hearing.

The parties are available to convene at the Court's convenience to discuss these matters.

Dated: June 11, 2025

Respectfully submitted,

/s/ Mark S. Melodia

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 11<sup>th</sup> day of June, 2025, I served the foregoing document upon all parties of record in this proceeding via the Court's ECF system.

*/s/ Andrew W. Ferich*

Andrew W. Ferich